



New Trustee Orientation Guide



British Columbia
School Trustees
Association

Welcome!

Congratulations on being elected as a school trustee.

Trustees serve their communities by governing their local school district as part of a board of education.

Boards of education in British Columbia derive their authority from the *School Act*.

The following is a summary of content found in BCSTA's *Learning Guide*. Please review the guide for more information.



Legislation

Legislation governing school districts and boards of education comes from the provincial government. In B.C. the *School Act* delegates K-12 public education to the Ministry of Education and regional functions to local boards of education.

The *School Act* defines a board of education as a corporate body, with the board's powers residing with the board as a whole, not with individual trustees (section 65). All board decisions must be made by bylaw or resolution at a legally constituted meeting.

The *School Act* gives boards the "power and capacity of a natural person of full capacity" so long as the power is used to carry out powers, functions and duties under the act (sections 85 and 166.12).

Other resources on the mandate of boards of education include the **Statement of Education Policy Order** and the **Framework for Enhancing Student Learning**, which describes the role of boards of education as follows:

"School Boards: have a duty to govern districts and their schools in accordance with specified powers in a fiscally responsible and cost-effective manner. They have a responsibility to ensure that schools provide students with opportunities for a quality education; to set education policies that reflect the aspirations of the community and that are consistent with overall provincial guidelines; to provide leadership and encouragement to schools and the community; to cooperate with the community and social service agencies in the delivery of non-educational support services to students; and to focus on the following areas of district concern: (1) implementation of provincial and local education programs; (2) school finance and facilities; (3) student access and achievement; (4) teaching performance; and (5) accountability to parents, taxpayers, the community and to the Province."



Jurisdiction

The federal government does not directly legislate education, but federal legislation and policies are relevant to the provincial education system in a number of areas, such as criminal law, immigration, Indigenous issues, copyright and taxation.

One board of education in B.C. is different from the others. Conseil scolaire francophone de la Colombie-Britannique (also known as CSF, Francophone Education Authority or School District #93) is the French-language board of education for all B.C. francophone schools. CSF's territorial jurisdiction includes the whole province. Its members elect regional trustees.



Board Responsibilities

Some board functions mentioned in the *School Act* include:

- Improving student achievement.
- Setting policy for the effective and efficient operation of schools.
- Making rules governing student conduct and discipline.
- Employing district staff such as teachers, principals, supervisory personnel, aides, clerical and administrative personnel, custodians, building maintenance staff, bus drivers, etc.
- Establishing conditions of employment for employees, within the framework of collective bargaining for unionized staff.
- Preparing and approving operating budgets and capital plans.
- Hearing appeals from parents and students where a staff decision significantly affects the education, health or safety of a student.
- Approving school district courses and resource materials.
- Acquiring, owning and disposing of school property and making decisions on school facilities, subject to minister's orders.



Co-governance

Through co-governance, boards and the Ministry of Education share responsibility for improved learning outcomes for students, and a demonstrated commitment to respect, integrity, public service, accountability and the effective management of public resources. The co-governance relationship between the provincial government and boards is outlined in the Memorandum of Understanding (MoU), which guides the working relationship between the ministry. BCSTA and boards maintain the right and responsibility to independently advocate for the vision and resourcing of public education.



Fiduciary Role

The following is an overview of some of the fiduciary expectations outlined in the *School Act*:

- Setting policy to guide the effective and efficient operation of the school district.
- Ensuring oversight of district operations, including the work of senior district staff, teachers, school administrators and support staff.
- Approving local conditions of employment for employees within the framework of collective bargaining for unionized staff and the employment contracts for exempt staff.
- Approving the school district's operating budgets and capital plans.
- Hearing appeals from parents where a staff decision significantly affects the education, health or safety of a student.
- Approving local courses and resource materials for use in the school district.
- Attending board and committee meetings.
- Maintaining effective two-way communication with all groups within the community, as well as with parents, students and district employees.
- Approving school plans as put forward by the superintendent.
- Approving district plans for improving student achievement.

Strategic Role

Boards of education set forward a vision and strategic plan for the future.

Each board must define the mission, vision and values guiding their district. The board, on behalf of the communities it represents, takes on the responsibility for developing a road-map to move the district towards its short and long-term goals.

Through the management of human, financial and capital resources, boards create conditions that enable students to meet achievement standards in a school environment that ensures their safety and promotes their well-being. Undertaking these responsibilities requires the board to foster a supportive culture and articulate its education mission to garner support and resources needed to achieve it.



Financial & Facilities

Boards of education:

- Generate local revenues
- Allocate funds to programs and services
- Review and approve budget documents
- Monitor expenditures against budget and plans
- Approve audited financial statements

B.C.'s Auditor General has made the following recommendations:

- Develop a strategic plan that shows how the process for identifying priorities and setting goals informs operational strategies and budget decisions; and then communicate that plan to stakeholders and rights holders.
- Develop a long-term facilities plan that shows how capital decisions today are informed by the current condition of existing facilities, projected student enrolment, anticipated changes in land use and other long-term factors; and then communicate that plan to all stakeholders and rights holders.
- Document milestone dates and key deliverables in budgets, including deadlines and formal assignment of responsibility for completion of each milestone.
- Document the authorities and key responsibilities for managing and monitoring budgets.
- Regularly report forecasted results compared with actual budget results to the board of education (or committee of the board); and provide an accompanying discussion and analysis, as necessary, to fully communicate financial performance and key risks.
- Implement more rigorous controls to prevent the initiation of unbudgeted purchases.

Budgets

The province establishes grant funding for public education annually and uses a funding formula to allocate these funds to boards.

The funding allocation system provides financial resources for the operation of the K-12 system using data collected from schools and districts to ensure equity. Boards manage and allocate their allotment based on local spending priorities. In addition, the province provides capital costs and funding for special programs through supplemental government funds.

There are three types of funds managed by boards:

OPERATING

This fund reports assets, liabilities, revenues and expenses for general operations, including salaries and benefits, classroom supplies, cleaning, heat, light, administration and student transportation for the day-to-day operations of the district.

CAPITAL

This fund reports the assets, liabilities, revenues and expenses for capital assets, including land, buildings, buses and vehicles.

SPECIAL PURPOSE

These funds report assets, liabilities, revenues and expenses for specific restricted expenditures such as distance education, capital projects and provincial resource programs.



Long-Term Facilities Planning

Funding for public school buildings and structural improvements is shared between the provincial government and boards of education. An important part of a strategic framework is a long-range facilities plan (LRFP). Such a plan is critical to ensuring that school facilities are used efficiently to minimize the cost of service delivery, and that they are maintained and improved to meet future school district needs.

An effective long-term facilities plan should demonstrate how capital decisions made are based on the current condition of existing facilities, projected student enrolment, anticipated changes in land use and other long-term factors.

As Employer

The board's relationship with the superintendent of schools is the most important employment relationship in the district and is central to effective governance. In most districts, the superintendent is the only employee who reports directly to the board, with all other employees reporting directly or indirectly to the superintendent. The board is responsible for the recruitment, selection and evaluation of the superintendent.

A school district's exempt administrative and supervisory staff are not unionized and are part of the district's leadership team. The number and category of exempt staff employed by each district varies, depending on the size of district and its needs and resources. Some examples of exempt leadership positions are assistant superintendents, secretary-treasurers, directors of instruction, principals, vice-principals, district administrators for facilities, human resources, etc.



BCPSEA

The BC Public School Employers' Association (BCPSEA) gives human resources and labour relations services to school districts and has responsibility for:

- Promoting effective and cooperative human resources practices in the school system.
- Coordinating benefits among various school districts to maximize coverage.
- Coordinating compensation for employees who are not subject to collective agreements.
- Labour relations advice and services to boards, including contract interpretation and grievance and arbitration case management.
- Determining collective bargaining objectives for the public education sector.
- Negotiating with the British Columbia Teachers' Federation (BCTF) for a collective agreement covering 60 public boards and their employees and for coordinating local bargaining between the boards and their local teachers' associations.
- Collective bargaining with support staff, as the bargaining agent for all 60 public boards.
- Leading the public education sector in addressing labour market trends, ensuring a sustainable, qualified workforce.
- Facilitating the development and implementation of public policy through advice to government and services to school districts.
- Advice on human resource implications of legislative and policy initiatives.

Collective Bargaining

Trustees rely on administrative staff to implement collective agreements and maintain communication processes necessary for good employee relations.

Unions, representing unionized employees and school districts in their role as the employer, negotiate collective agreements, sometimes referred to as contracts, that lay out terms and conditions of employment (e.g., salary, leave provisions, seniority, benefits, etc.) for individual employees or groups of employees. The specific language addressing these terms in collective agreements varies from district to district, as each union local conducts some of its own bargaining, as with teachers, or all its bargaining (as with support staff).

Both employees and management are required to uphold clauses in their collective agreement. It is important to note that the agreement, along with laws, defines the limitations on employer rights to manage the school district as they see fit. Where limits are not defined or imposed by the collective agreement, management retains the right to make the decisions. Collective agreements advise what cannot be done or the processes that must be followed, rather than what can be done, which remains open and undefined.

Leadership & Engagement

A trustee's representative role is not directly a governance role. Governance is at its most effective when it embraces the community perspectives brought by the individual trustees, and proactive community participation is a crucial part of good governance by the board. The key is achieving a balance between the governance authority of the board, and the individual representative role of each trustee. While members of the board act as representatives of their constituency, their primary job is to participate in policy-making and strategic planning that are in the interests of all the district's students and are grounded in promoting student achievement and well-being.

COMMUNITY CONSULTATION AND ENGAGEMENT

Effective boards make ongoing efforts to actively seek community input. Some strategies include open board meeting delegations, standing committees, ad-hoc committees, public meetings or forums, community surveys or social media engagement.



Working with Indigenous Communities

The key to connecting with the Indigenous community is building trust. Indigenous leaders and communities may not trust the school system, so persistence is key. Use an intermediary to help with introductions, consistently reach out to individuals, show up at meetings and events, highlight why the issues you want to engage the community with will help students succeed. There may be protocols or channels that must be adhered to in order to connect with Indigenous leaders and rights holders. Indigenous support staff may be able to help you identify these. Demonstrating sincerity through persistence, respect for people's time and roles and a desire to build a respectful partnership with reciprocal benefits will reap the greatest rewards for students.



Conflict

Conflict is a normal part of life, a natural, predictable product of human interaction. Conflict doesn't need to damage relationships; it can bring people together to work on common problems.

A constructive approach to resolving a conflict:

- Expose underlying causes of conflict.
- Promote communication.
- Facilitate change and growth.
- Challenge imagination and creativity.
- Forge stronger partnerships.
- Provide mutually satisfactory, durable solutions.
- Develop skills and abilities for dealing with conflict.

Many boards have developed policies for handling conflict. These processes need to be clearly visible on the district website.



Advocacy

Boards have an important role in advocacy. In their interactions with families, citizens, government and the public, trustees are represent and promote the best interests of students by calling on resources and supports. In doing so, they are champions for public education and promote the role of boards in delivering quality education at the local level.



Governance vs. Operations

Every trustee and board is unique as boards are comprised of individuals with diverse backgrounds. A board has shared awareness of its communities, yet each trustee represents an individual point of view. Together the talents of individual trustees combine to form the assets and perspectives of the board.

In defining how the roles and responsibilities of the board and superintendent (representing all staff) should be best divided, it is important to consider three key points:

- Individual trustees have no legal authority or stipulated power on their own. It is only the board, as a whole, that holds power. All decisions, as well as direction to the superintendent or other staff, must come from the board and not from individual trustees.
- The *School Act* assigns specific responsibilities to the board of education, the superintendent and the district's secretary-treasurer. These responsibilities cannot be ignored or over-ridden, even where they come into conflict with local direction.
- It is the role of the board to govern the school district, and not to run the day-to-day operations of the school district. This is a critical distinction that needs to be kept at the forefront when constructing policy that outlines roles and responsibilities. When defining the governance role of the board, key areas of responsibility should be taken into consideration.



Board Meetings & Procedures

Trustees must attend board meetings on a regular and consistent basis. The *School Act* stipulates that if a trustee is continuously absent from board meetings for a period of three consecutive months (without leave), their office is deemed vacant and they are disqualified from holding office as a trustee until the next general school election.

The hierarchy of governing documents starts with “the laws of the land.” This includes the *Canadian Constitution*, provincial legislation (primarily the *School Act*), court decisions, board bylaws and board policies. The procedural bylaw of the board is supported by rules of order, which are typically *Robert’s Rules of Order*.

Eli Mina has provided a succinct overview of the rules for debate:

A. Members speak only after being recognized by the chairperson.

Recognition is on a first-come-first-served basis, except:

- The maker of a motion has the right to speak first (not last, unless the procedural bylaw provides for it).
- Second-time speakers must yield to first-time speakers.
- If possible, the chairperson alternates between proponents and opponents of the motion.

B. Rules of decorum.

- Members must remain courteous and avoid personal attacks.
- Remarks must be confined to the pending motion (no digressions).
- In formal meetings, remarks are directed through the chairperson.

C. Limitations on the length and number of comments per member on each debatable proposal are as specified in the bylaws.

- If the bylaws are silent and Robert’s applies, each member can speak up to two times on each motion, each time up to 10 minutes.

D. Closing debate is made by the members, and not unilaterally by the presiding officer nor by a member “calling the question” (Robert’s section 16).

Robert’s Rules of Order Demystified, Eli Mina, 2013

Effective Meetings

A meeting is a gathering to discuss business and reach decisions jointly. Whether meeting in a public, open setting or behind closed doors in a closed or in-camera session, here are some fundamentals for a successful meeting:

- **Clarity of mandate, purpose, issues and process**

- **Participation protocol and etiquette**

Only one person speaks at a time. Interruptions (verbal or non-verbal) are kept to the necessary minimum. A courteous, civilized and respectful tone is maintained. Discussions are focused on issues, not personalities.

- **Productivity and forward movement**

Discussion progresses along a pre-defined agenda, in an efficient and timely manner. For follow-up, good minutes are taken.

- **Flexibility and room for creative thinking**

Meeting structures (agendas and rules) are used flexibly, to accommodate and promote creativity and open discussion rather than stifle them.

- **Quality**

Informed and in-depth discussions take place, leading to meaningful outcomes and thoughtful decisions.

- **Balance and inclusion**

Members are given an equal opportunity to participate. Dominated discussions are avoided.

- **Openness and collaboration**

Listening takes place and members work together towards a common goal. Members are open to changing their views based on the discussion. Debates are personality-neutral and focused on the issues, not the speakers.

- **Shared responsibility**

Everyone takes responsibility for the success of the process and finger-pointing is minimized. Promises are kept and assigned tasks are completed.

- **Variety and a light touch**

The meeting's pace and activities are varied to make it more engaging, interesting and enticing to attend. A light touch is introduced when appropriate: "Take yourself lightly and your work seriously."

- **Logistical support**

Logistical details are managed proactively and professionally to allow for an optimal use of time at the meeting.

Elia Mina, www.elimina.com

Policy & Bylaw Development

Boards establish structures to support student achievement through policies. The directions boards establish through this work have an impact on students, schools and all staff. Policies contribute to the culture of the district and range from the broad, such as the mission, to the specific. Learn where your board's policies are available, how they are developed, changed and used, and any outstanding district policy matters.

The board must be clear about the alignment between its role as a governing, policy-making body and the job of the superintendent who implements the board's directions. The board should be clear about its policies, why they exist, and be able to explain them to the public and hold the superintendent accountable for implementing them.



Bylaws

The *School Act* requires some types of decisions be made by bylaw rather than ordinary resolution. For example, boards are required to have bylaws setting out their section 11 appeal procedures and budgets must be adopted by bylaw. School closure and disposal of board property must be done by bylaw as well.

The bylaw process can also be used at the board's discretion for other types of decisions even if a bylaw is not required by the *School Act*. For example, the *School Act* requires boards to set out their meeting procedures in writing. Some boards adopt meeting procedure policies while others prefer to codify meeting procedures in a procedural bylaw.

Bylaws require three readings to be adopted. All three readings cannot happen at the same meeting unless all trustees present at the meeting unanimously agree to proceed with all three readings at one meeting. BCSTA maintains a database of policies adopted by boards of education available on the HUB.



Conflict of Interest

The *School Act* includes a special part on conflict of interest, and all trustees should be familiar with its content. It applies to trustees who have contracts or interests in contracts with the board of education, including those with immediate family members employed by the board, when matters affecting those contracts come before the board for debate and decision.

Part 5 of the *School Act* requires a trustee who has an interest in a matter before the board to declare that interest and not take part in the discussion, vote or attempt in any way to influence the outcome. Further, the declared interest must be recorded in the meeting minutes. If a trustee knowingly hides an interest, the courts may declare the trustee's office vacant and require financial restitution.



Getting Up To Speed

New trustees will be supported by district staff in learning about local issues.

Questions to ask when you begin:

STRATEGIC PLAN

- What is the school district's vision for student success and how does the planning process realize this vision?

EDUCATIONAL AND INSTRUCTIONAL SCENE

- What is the record of student achievement over the last few years?
- What strategies and structures has the district put in place to enhance achievement?
- How does the district work to meet the needs of all students?

INDIGENOUS EDUCATION

- What is the success rate for Indigenous students in the district?
- What is the relationship of the school district with its Indigenous communities?
- What channels of communication are in place?
- What protocols does the district follow in respect of their Indigenous communities?
- What specifically is the district doing in response to the recommendations of the Truth and Reconciliation Commission?

FINANCES

- What is the current financial situation of the school district?
- How do trustees engage in the business of school district finance?
- Human resources
- What employee groups are there in the district?
- What is the status of collective bargaining?
- What are the most challenging human resources issues?

FACILITIES

- What is the current enrolment and how are buildings in the district currently being used?
- What is the district's facilities plan?

COMMUNICATIONS

- How are trustees meant to deal with inquiries and concerns that are presented to them in the district?
- What is my role with the media? Who speaks on behalf of the board?
- How does the community stay informed about board activities?

TRUSTEE CONDUCT

- Does the district have a code of conduct for trustees?

Checklist

What do trustees need to know?

BOARD AUTHORITY

- Key provisions of the *School Act*
- Mandate of board and of provincial and federal governments
- Board powers and responsibilities under the *School Act*
- Co-governance with the Ministry of Education

BOARD RESPONSIBILITIES

FIDUCIARY

- Protecting the interests, image and credibility of the school district, to ensure financial viability and act in accordance with laws and regulations

STRATEGIC

- Developing a vision for students so they are provided with every opportunity to succeed in school, and give parents confidence that schools provide a caring, safe environment for their children
- Oversight of the district's human, financial, and capital resources

FINANCIAL AND FACILITIES

- The prudent use of financial resources, planning to reach goals and objectives
- Establishing and monitoring budgets, including expenditures and reserves
- Long-term facility planning

AS EMPLOYER

- The role of the board with the superintendent and other exempt staff
- The role of BCPSEA
- Employee groups, including collective bargaining

LEADERSHIP AND ENGAGEMENT

- Responsibility to represent the public's voice in publicly-funded education
- Community consultation and engagement
- Working with Indigenous communities
- Dealing with inquiries and concerns
- The role of advocacy

BOARD OPERATIONS

- The role of the board vs. the role of senior staff
- Essential procedural aspects of meetings
- Characteristics of effective meetings
- Board of education policy
- Bylaws
- The definition of trustee conflict of interest and how it's addressed in the *School Act*

DISTRICT CONTEXT

- Strategic plan
- Educational and instructional scene
- Indigenous education
- Finances
- Human Resources
- Facilities
- Communications
- Trustee conduct



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